

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: VIRGINIA GAS COMPANY

RELIEF SOUGHT:

(1) EXCEPTION TO STATEWIDE SPACING; (2) ESTABLISHMENT OF THE DRILLING UNIT DESCRIBED IN EXHIBIT "A" HERETO AND SERVED BY WELL NO. EH-37 (herein "Subject Drilling Unit") PURSUANT TO § 45.1-361.20, CODE OF VIRGINIA; AND (3) POOLING OF INTERESTS IN SUBJECT DRILLING UNIT PURSUANT TO § 45.1-361.21, CODE OF VIRGINIA, FOR THE PRODUCTION OF CONVENTIONAL NATURAL GAS FROM SUBJECT FORMATIONS (herein sometimes referred to as "Gas")

VIRGINIA GAS  
AND OIL BOARD

CONSOLIDATED  
DOCKET NOS.  
92/0818-0252 and  
92/0818-0253

LEGAL DESCRIPTION:

DRILLING UNIT SERVED BY WELL NUMBERED  
EH-37, PRATER QUADRANGLE,  
SANDLICK MAGISTERIAL DISTRICT,  
DICKENSON COUNTY, VIRGINIA  
(the "Subject Lands" are more  
particularly described on Exhibit  
"A", attached hereto and made a  
part hereof)

## REPORT OF THE BOARD

## FINDINGS AND ORDER

1. Hearing Date and Place: These matters came on for hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on August 18, 1992, Dickenson Conference Room, Southwest Virginia Education 4-H Center, Abingdon, Virginia.
2. Appearances: Stanford T. Mullins of the firm Street, Street, Street, Scott and Bowman, appeared for the Applicant; Greg Mullins appeared to represent unspecified claimants; Bernard Riley appeared to represent his wife, Vina Deel Riley; and Sandra B. Riggs, Assistant Attorney General, was present to advise the Board.
3. Jurisdiction and Notice: Pursuant to § 45.1-361.1 et seq., Virginia Code, 1950 as amended, the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a meaningful search of reasonably available sources to determine the identity and whereabouts of each gas or oil owner, coal owner, or mineral owner having an interest in Subject Drilling Unit comprised of Subject Lands; (2) has given notice to all parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by § 45.1-361.19, Virginia Code, 1950 as amended, to notice of this application; and (3) that the persons set forth in Exhibit C hereto are owners of unleased gas and oil interests in Subject Drilling Unit. Further, the Board has caused notice of this hearing to be published as required by § 45.1-361.19.B, Virginia Code, 1950 as amended. Whereupon, the Board

hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: None.

5. Dismissals: Those parties listed in Exhibit B hereto.

6. Relief Requested: Applicant requests: (1) an exception to statewide spacing requirements set forth in § 45.1-361.17 of the Code of Virginia for Well Number EH-37; (2) that pursuant to § 45.1-361.20, Code of Virginia, 1950, as amended, the Board establish Subject Drilling Unit to be served by Well No. EH-37; and (3) that pursuant to § 45.1-361.21, Code of Virginia, 1950 as amended, the Board pool all rights, interests and estates in Subject Drilling Unit, including those of known and unknown persons listed in Exhibit C hereto who have not voluntarily agreed to pool their interests in Subject Drilling Unit, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of conventional gas produced from the Subject Drilling Unit hereby established for the formations described as the Berea, Weir, Maxon, Big Lime and Ravencliff formations (herein "Subject Formations") underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "well development and/or operation in the Subject Drilling Unit"); and, (4) that the Board designate Applicant as Unit Operator.

7. Relief Granted: The requested relief in this cause be and hereby is granted and: (1) the Applicant is allowed to permit and drill Well Number EH-37 within 2,352.88 feet of Well Number P-232 as depicted on Exhibit A hereto; (2) pursuant to § 45.1-361.20, Code of Virginia, 1950 as amended, the Board hereby establishes Subject Drilling Unit; (3) pursuant to § 45.1-361.21.C.3, Code of Virginia, 1950 as amended, Virginia Gas Company (hereafter "Unit Operator") is designated as the Operator authorized to drill and operate Well No. EH-37 in the Subject Drilling Unit to produce Gas from Subject Formations, subject to the permit provisions contained in § 45.1-361.27 et seq., Code of Virginia, 1950 as amended, to § 480-05-22.1 et seq., Gas and Oil Regulations and to § 480-05-22.2 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time; and (4) all the interests and estates in Subject Drilling Unit, including those of the known and unknown persons listed on Exhibit "C" hereto who have not voluntarily agreed to pool their interests in the Subject Drilling Unit, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled for the drilling and operation, including production, of Gas produced from the Subject Formations in the Subject Drilling Unit underlying and comprised of the Subject Lands.

<u>Subject Formations</u>	<u>Unit Size</u>	<u>Permitted Well Location</u>	<u>Field and Well Classification</u>
Berea, Weir, Maxon, Big Lime Ravencliff	Approximately 125.66-acre circular unit	EH-37 (See Exhibit A for location)	No applicable field rules; conventional gas well

For the Subject Drilling Unit  
underlying and comprised of the Subject  
Land Served by Well No. EH-37

Dickenson County, Virginia.

8. Election and Election Period: Each person listed herein in Exhibit C may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 herein



to the designated Unit Operator at the address shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

- 9.1 Option 1 - To Participate In The Development and Operation of the Drilling Unit: Any person listed herein in Exhibit C may elect to participate in the development and operation of the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay such Participating Operator's proportionate part of the actual and reasonable costs, including a reasonable supervision fee, of the well development and operation in the Subject Drilling Unit, as more particularly set forth in Virginia Gas and Oil Board Regulation VR 480-05-22.2, Section 10 ("Completed for Production Costs"). Further, a Participating Operator agrees to pay such Participating Operator's proportionate part of the Estimated, Completed-for-Production Costs set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Estimated, Completed-for-Production Costs for the Subject Drilling Unit are as follows:

Estimated, Completed-for-Production Costs - \$290,863.00

A Participating Operator's proportionate cost hereunder shall be that proportion of said costs which the number of net mineral acres in the Subject Drilling Unit owned or claimed by such Participating Operator bears to the total number of mineral acres in Subject Drilling Unit. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay his proportionate part of the Estimated, Completed-for-Production Costs as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

- 9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the development and operation of Subject Drilling Unit under Paragraph 9.1 above, the owner of an unleased interest may elect to accept a cash bonus consideration of \$5.00 per net mineral acre owned by such person commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, together with a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Gas and Gas condensate produced from any well development covered by this Order (for purposes of this Order, net proceeds shall be actual proceeds received less all post-production costs incurred downstream of the wellhead, including but not limited to, all gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person) as fair, reasonable and equitable compensation to be paid to said owner. The initial cash bonus, when so elected, shall be tendered and/or paid within sixty (60) days of notice of entry of this Order, thereafter the annual cash bonus, if any, shall be tendered, paid or escrowed within sixty (60) days of each anniversary of entry of this Order in the event production from Subject Drilling Unit has not theretofore commenced, and when so

tendered and/or paid shall be satisfaction in full for all right, title, interests, estates, and claims to Gas of such electing person to the gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

The election made under this Paragraph 9.2, when so made shall be satisfaction in full for all right, title, interests, estates and claims of such electing person in any well development covered hereby and such electing person shall be deemed to and hereby does lease and assign all its right, title, interests, estates, and claims to Gas from the Subject Formation in the Subject Drilling Unit to the Unit Operator.

- 9.3. Option 3 - To Share In The Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the development and operation of Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a cash bonus consideration under Paragraph 9.2 above, any person listed herein in Exhibit C may elect to share in the development and operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator") so that the proportionate part of the Completed-for-Production Costs hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Well EH-37 in Subject Drilling Unit. All of such Carried Well Operator's rights, title, interests, estates and claims to Gas in Subject Formations in Subject Drilling Unit shall be deemed and hereby are assigned to the Unit Operator until the proceeds from the sale of such carried well operator's share of production from said Subject Formation in Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Costs allocable to the interest of such Carried Well Operator. When the Unit Operator recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such well development.

The election made under this Paragraph 9.3, when so made, shall be satisfaction in full for all rights, title, interests, estates and claims of such electing person in any well development and operation covered hereby and such electing person shall be deemed to have and hereby does assign all its rights, title, interest, estates and claims to Gas in Subject Formations in the Subject Drilling Unit to the Unit Operator for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above, then such person shall be deemed to have elected not to participate in the proposed development and operation of Well EH-37 in Subject Drilling Unit and shall be deemed to have elected to accept as satisfaction in full for all such person's right, title,



interests, estates and claims the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned all his right, title, interests, estates and claims to Gas from Subject Formations in the Subject Drilling Unit to the Unit Operator. Persons who fail to properly elect shall be deemed to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for all right, title, interests, estates and claims of such person to Gas from Subject Formations in the Subject Lands.

11. Default By Participating Person: In the event a person elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Estimated Completed-for-Production costs as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, title, interest, estates and claims the cash bonus consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any such cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within sixty (60) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for all right, title, interests, estates and claims of such person to Gas from the Subject Formation in the Subject Lands covered hereby.

12. Assignment of Interest: In the event a person elects or fails to elect to do other than participate under Paragraph 9.1 above in the development and operation of the well in Subject Formations in Subject Drilling Unit, then such person shall be deemed to have and shall have assigned unto Unit Operator all of such person's right, title, interests, estates and claims in and to the Gas from said well, from Subject Formations in Subject Drilling Unit, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder.

13. Unit Operator (or Operator): The Applicant, Virginia Gas Company, be and hereby is designated as Unit Operator authorized to drill and operate Well No. EH-65 in Subject Drilling Unit to produce conventional natural gas from Subject Formations, all subject to the permit provisions contained in Section 45.1-361.27 et seq., Code of Virginia, 1950 as amended, §§ 480-05-22.1 et seq., Gas and Oil Regulations and §§ 480-05-22.2 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Virginia Gas Company  
P. O. Box 2407  
Abingdon, VA 24210  
Phone: (703) 676-2380  
Attn: Mike Edwards

14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of any well covered hereby within three hundred and sixty-five (365) days from the date of this Order and shall prosecute the same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums becoming payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which any well covered by

this Order is permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the Petition for Appeal and the final Order of the Circuit Court shall be excluded in calculating the one year period referenced to herein.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the mineral estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are a charge against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

16.1 Escrow Account: By this Order, the Board instructs the Escrow Agent named herein or any successor named by the Board to establish an interest-bearing escrow account, (herein "the Escrow Account") to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described:

Tazewell National Bank  
P. O. Box 909  
Tazewell, VA 24651  
(herein "Escrow Agent")

16.2 Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and shall, pursuant to Section 45.1-361.21.D, Code of Virginia, 1950 as amended, said sums shall be deposited by the operator into the Escrow Account, commencing within sixty (60) days of notice of entry of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of the report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with § 45.1-361.21.D., Code of Virginia, 1950 as amended.

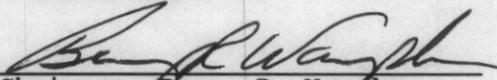
17. Special Findings: The Board specifically and specially finds:

- 17.1 Applicant is a Delaware corporation duly authorized and qualified to transact business in the Commonwealth of Virginia;
- 17.2 Applicant claims ownership of gas and oil leases on 50.57 percent of Subject Drilling Unit and the right to explore for, develop and produce conventional gas from same.
- 17.3 Applicant is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
- 17.4 Applicant has proposed the drilling of Well No. EH-37 on the Subject Drilling Unit to develop the pool in Subject Formations. Well No. EH-37 is to be located within 2352.88 feet of Well No. P-232; within 2976.98 feet of Well No. P-284; and within 2732.71 feet of Well No. P-287, all as depicted on Exhibit A.



- 17.5 Respondents are listed on Exhibit "C". Set forth in Exhibit "C" is the name and last known address of each owner or potential owner of record (who has not, in writing, leased to or voluntarily pooled their interests in Subject Formations in Subject Drilling Unit for its development).
- 17.6 The proposed depth of Well No. EH-37 is 5,015 feet.
- 17.7 The estimated average production over the life of the proposed well is 100 MCFD or a total of 350 million standard cubic feet. The estimated amount of reserves contained within Subject Drilling Unit is .5 BCF.
- 17.8 Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the well covered hereby are those options provided in Paragraph 9 above.
- 17.9 The Subject Drilling Unit does not constitute an unreasonable or arbitrary exercise of Applicant's right to explore for or produce conventional gas.
- 17.10 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person in the Subject Drilling Unit the opportunity to recover or receive, without unnecessary expense, each person's just and fair share of the production of conventional gas from Subject Formation in Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of conventional gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.
18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of receipt of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of receipt of this Order to each person pooled by this Order whose address is known.
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).
20. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
21. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 19th day of November, 1992, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

DONE AND PERFORMED this 19th day of November, 1992, by Order of this Board.

Byron Thomas Fulmer  
Byron Thomas Fulmer  
Principal Executive To The Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA )  
COUNTY OF WISE )

Acknowledged on this 19th day of November, 1992, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett  
Susan G. Garrett  
Notary Public

My commission expires 7/31/94

STATE OF VIRGINIA )  
COUNTY OF WISE )

Acknowledged on this 19th day of November, 1992, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Susan G. Garrett  
Susan G. Garrett  
Notary Public

My commission expires 7/31/94



## EXHIBIT "B"

PARTIES TO BE DISMISSED FROM FORCED POOLING:

Q.	Lucille P. Bell 7241 Estes Street Roanoke, VA 24019	P.	Elva Hughes 704 David Avenue Westminster, MD 21157
T.	William A. Counts, Jr. 7185 S. Leewynn Drive Sarasota, FL 33577		
U.	Carole Mamone 9 Oak Lane Bluefield, WV 24701		
CC.	W. Clyde Colley Haysi, VA 24256		
FF.	Emma Arrington Haysi, VA 24256		
GG.	Violet Tarwater Haysi, VA 24256		
e.	Betty Taylor Thompson 116 N Kentucky Street Arlington, VA 22205		
l.	Guy Milton Sutherland 10200 North L. Street La Porte, TX 77571		
q.	Clyne Blankenship 5397 Brady Road Howell, MI 48843	r.	Delores Duty Route 1, Box 447 Haysi, VA 24256

z. Claude Sutherland  
10816 Oakton Road  
Oakton, VA 22124

cc. Jimmy N. Sutherland  
Route 1, Box 150  
Hazleton, IN 47640

ee. Virginia Adkins  
4524 Winston Road  
Portsmouth, VA 23703

gg. Erlene Turner  
Birchleaf, VA 24220

jj. K. R. Sutherland  
Box 41  
Birchleaf, VA 24220

tt. Ruth Fuller  
Box 34  
Clintwood, VA 24228

vv. June Taylor  
2556 Shakesville Road  
Bristol, VA 24201

ww. June Owens  
Route 1, Box 206A  
Abingdon, VA 24210

yy. Kenneth Holyfield  
18172 26 Mile Road  
Washington, MI 48094

(D) Edgar Sutherland  
Route 2  
Clintwood, VA 24228

(T) William A. Counts, Jr.  
7185 S. Leewynn Drive  
Sarasota, FL 33580

(W) Clyne Blankenship  
P.O. Box 205  
Breaks, VA 24607

(Y) Delores Blankenship Duty  
Route 1, Box 451  
Haysi, VA 24256

dd. Hunter Sutherland  
2536 Laurel Brook Road  
Fallston, MD 21047

ff. Ella Holyfield  
Route 2  
Cumberland, VA 23040

hh. Frank Lowell Sutherland  
Box 59  
Birchleaf, VA 24220

xx. Constance Addington  
114 Oakwood Drive  
Abingdon, VA 24210

zz. Audrey Anderson  
Route 1, Box 118  
Haysi, VA 24256

(X) Helen Mullins  
P.O. Box 216  
Breaks, VA 24607



EXHIBIT "C"  
EH-37 UNIT

BOOK 287 PAGE 520

UNLEASED GAS AND OIL OWNERS HAVING AN INTEREST  
IN THE PROPOSED UNIT

N. B. Sutherland Heirs:

- |   |  |
|---|--|
| A. Mrs. Coosie Counts<br>Route 3, Box 371<br>Jonesboro, TN 37659                  | B. Mrs. Vera Barosin<br>Route 10, Box 538<br>Maryville, TN 37801                     |
| C. Mrs. Madge Maxfield<br>N. 7307 Monroe<br>Spokane, WA 99208                     | D. William L. Counts, Jr.<br>R D No. 4, Box 118<br>Quarryville, PA 17566             |
| E. Mrs. Faye Strickland<br>P.O. Box 296<br>Pennington Gap, VA 24277               | F. Mrs. Janice Webb<br>Route 3, Box 377<br>Jonesboro, TN 37659                       |
| G. Mrs. Alta Counts<br>Gate Way Piazza<br>10141 E. Burnside<br>Portland, OR 97216 | H. Beula Ann Adkins<br>132 Dillion Avenue<br>Elkin, NC 28621                         |
| I. R. S. Sutherland<br>1626 Linville Street<br>Kingsport, TN 37664                | J. Cornelious Sutherland<br>Grundy, VA 24614   |
| K. Kilby P. Counts<br>233 Carriage Hill Drive<br>Pulaski, VA 24301                | L. Effie Koehler<br>320 Hershberger Road NW<br>C211, Manor West<br>Roanoke, VA 24012 |
| M. E. Gorman Counts<br>2516 Vancouver Drive<br>Roanoke, VA 24012                  | N. Ernest G. Counts<br>Route 2, Box 1535<br>Hale, MI 48739                           |
| Q. Lucille P. Bell<br>7241 Estes Street<br>Roanoke, VA 24019                      | P. Elva Hughes<br>704 David Avenue<br>Westminster, MD 21157                          |
| Q. Frederick Counts<br>5335 Penn Circle<br>Jacksonville, FL 32207                 | R. Julian L. Counts<br>5335 Penn Circle<br>Jacksonville, FL 32207                    |
| S. Donald E. Counts<br>7149 Snowapple Drive<br>Clarkston, MI 48016                | T. William A. Counts, Jr.<br>7185 S. Leewynn Drive<br>Sarasota, FL 33577             |

- U. Carole Mamone  
9 Oak Lane  
Bluefield, WV 24701
- W. Jennifer Colley Belcher  
Box 527  
Vansant, VA 24656
- Y. Ronald Clayton Colley  
Route 1  
Clintwood, VA 24228
- AA. Gary L. Colley  
501 Worchester  
Middlesboro, KY 40965
- CC. W. Clyde Colley  
~~Haysi, VA 24256~~
- EE. Milton R. Counts  
1304 E Bell Road  
S.P. 76  
Phoenix, AZ 85022
- GG. Violet Tarwater  
~~Haysi, VA 24256~~
- Gaynell Sharon Shifflett  
5320 Dickens Road  
Richmond, VA 23230
- KK. Ruby Hay  
Star Route  
Dante, VA 24237
- MM. Marie Viers  
5773 New Meadow  
Ypsilanti, MI 48197
- QQ. Monte Deel  
131 Ashwood Place  
Danville, VA 24541
- QQ. E. Grayson Deel  
424 NW 26th Street  
Ocala, FL 32670
- SS. Anna Lee Carter  
61 Louista Place  
Las Vegas, NV 89110
- V. Jack Earl Counts  
117 Valley View  
Frankfort, KY 40601
- X. Rene Colley  
Box 62  
Birchleaf, VA 24220
- Z. Michael Colley  
531 Watch Hill Road  
Midlothian, VA 23113
- BB. Joseph (Jack) Colley  
Route 2  
Haysi, VA 24256
- DD. Hazel Malcolm  
13212 Calesville Road  
Silver Springs, MD 20904
- FF. Emma Arrington  
~~Haysi, VA 24256~~
- HH. Donnie Curtis Deel  
210 S Vincent  
Baltimore, MD 21223
- JJ. Erma Powers  
Star Route, Box 331  
Dante, VA 24237
- LL. Bobby Deel  
Star Route  
Dante, VA 24237
- NN. Gordon Deel  
Star Route, Box 305  
Dante, VA 24237
- PP. Kizzie Deel  
Star Route  
Dante, VA 24237
- RR. Ethel Counts  
913 Watauga Street  
Kingsport, TN 37664
- TT. Margaret Childress  
1613 Vance Street  
Kingsport, TN 37664



UU. Shirley Counts  
913 Watauga Street  
Kingsport, TN 37664

WW. Edna Marie Renfro  
913 Watauga Street  
Kingsport, TN 37664

YY. Pricy Counts  
Route 2, Box 305  
Glade Springs, VA 24340

a. Theda McGraw  
111 Valley Drive  
Abingdon, VA 24210

c. Bonnie T. Lee  
Route 1, Box 294  
Cedar Bluff, VA 24609

e. Betty Taylor Thompson  
~~116 N Kentucky Street~~  
Arlington, VA 22205

g. Cecil Edwards  
Route 4, Box 439  
Gate City, VA 24251

i. Emma Smith  
Route 4, Box 87  
Church Hill, TN 37642

k. Sena Smith  
Route 1, Box 285  
Bristol, TN 37620

m. Donald Gene Sutherland  
185 N Grant Lane  
Folsom, CA 95630

o. Eura Blankenship  
27125 Huntington  
Warren, MI 48093

q. Clyne Blankenship  
~~5397 Brady Road~~  
Howell, MI 48843

s. Roberta Ann Looney  
121 McCray Drive  
Abingdon, VA 24210

VV. Betty Jo Clark  
4617 June Drive  
Kingsport, TN 37664

XX. Sandra Thomas  
40 Washington Avenue  
Radford, VA 24141

ZZ. Larry Counts  
960 Grand Avenue, Apt. 104  
Cincinnati, OH 45205

b. Goldie Ball Bailey  
Star Route  
Dante, VA 24237

d. Eula King  
Box 253  
War, WV 24892

f. Clifford M. Taylor  
1514 North Edison Street  
Arlington, VA 22205

h. Alma Bowman  
Star Route, Box 336  
Dante, VA 24237

j. Sally Grizzle  
Route 5, Box 58  
Gate City, VA 24251

l. Guy Milton Sutherland  
~~10200 North L. Street~~  
La Porte, TX 77571

n. James E. Sutherland  
308 Sheffield Court  
Joppa, MD 21085

p. James R. Blankenship  
1070 N Buck Road  
Marble Head, OH 43440

r. Delores Dury  
~~Route 1, Box 447~~  
Haysi, VA 24256

t. Ethel Marie Music  
Route 3, Box 38D  
Lebanon, VA 24266

- u. Marcella Gibson Morrow  
Route 1, Box 37  
Fairhope, AL 36532
- w. Goldia Sutherland  
Box 178  
Coeburn, VA 21230
- y. Jo Anne S. Butler  
1332 Breuter Street  
Anaheim, CA 92801
- aa. Hazel Sutherland  
Route 3  
Marengo, OH 43334
- cc. Jimmy N. Sutherland  
Route 1, Box 150  
Hazleton, IN 47640
- ee. Virginia Adkins  
4524 Winston Road  
Portsmouth, VA 23703
- gg. Erlene ~~Turner~~  
~~Birchleaf~~, VA 24220
- ii. Gene Sutherland  
Haysi, VA 24256
- kk. D. C. Sutherland  
103 Wyandotte Avenue  
Big Stone Gap, VA 24219
- mm. Ray Sutherland  
Route 3, Box 122  
Marengo, OH 43334
- oo. Lima Fowler  
2907 Iowa  
Troy, MI 48084
- qq. David Neaville  
1083 Sutherland Avenue  
Akron, OH 44314
- ss. Maxine Sutherland  
1309 Sherman Street  
Akron, OH 44301
- v. Everette Raines  
P.O. Box 570  
Grundy, VA 24614
- x. Paul V. Sutherland, Jr.  
2644 Furlong Avenue  
St. Albans, WV 25177
- z. ~~Claude Sutherland~~  
~~10816 Oakton Road~~  
~~Oakton, VA 22124~~
- bb. Robert Lamar Sutherland  
2192 State 61  
Marengo, OH 43334
- dd. ~~Hunter Sutherland~~  
~~2536 Laurel Brook Road~~  
~~Fallston, MD 21047~~
- ff. ~~Ella Holyfield~~  
~~Route 2~~  
~~Cumberland, VA 23040~~
- hh. Frank Lowell Sutherland  
Box 59  
~~Birchleaf, VA 24220~~
- jj. K. R. Sutherland  
Box 41  
~~Birchleaf, VA 24220~~
- ll. Hazel Rasnake  
581 Douglas Street  
Chula Vista, CA 92010
- nn. Mrs. Ulin Harvey  
700 Silvercrest Avenue  
Akron, OH 44314
- pp. Charles Neaville  
4541 Romro Road  
Space No. 31  
Tuscon, AZ 85705
- rr. Diane Neaville  
1180 Cabana Road  
Singer Island, FL 33404
- tt. Ruth Fuller  
Box 34  
~~Clintwood, VA 24228~~



uu. Shirley Sutherland  
32999 Palmer  
Madison Heights, MI 48071

ww. June Owens  
Route 1, Box 206A  
Abingdon, VA 24210

yy. Kenneth Holyfield  
18172 26 Mile Road  
Washington, MI 48094

(A) Kit Sykes  
15986 Haver Hill  
Utica, MI 48087

(C) Harold Sykes  
1637 Wellons Drive  
Fayetteville, NC 28304

(E) Emma Sutherland  
Route 2, 614 Dogwood Drive  
Abingdon, VA 24210

(G) Archie Deel  
113 Semple Farm Rd  
Hampton, VA 23666

(I) Carter Deel  
Star Route Box 354  
Dante, VA 24237

(K) Debbie Deel  
P.O. Box 511  
Blue Ridge, VA 24064

(M) Vina Deel Reilly  
Rt 1, Box 602  
Clinchco, VA 24226

(O) David Deel  
471 Webster Rd  
Blue Ridge, VA 24064

(Q) M.D. Deel  
Rt 1, Box 600  
Clinchco, VA 24226

(S) Hubert Deel  
Star Route Box 316  
Dante, VA 24237

vv. June Taylor  
2556 Shakesville Road  
Bristol, VA 24201

xx. Constance Addington  
114 Oakwood Drive  
Abingdon, VA 24210

zz. Audrey Andersen  
Route 1, Box 118  
Haysi, VA 24256

(B) Madeline Counts  
807 Faison Avenue  
Fayetteville, NC 28304

(D) Edgar Sutherland  
Route 2  
Clintwood, VA 24228

(F) Greg Mullins  
P.O. Box 1185  
Abingdon, VA 24210

(H) A. Garner Deel  
P.O. Box 7447  
Hampton, VA 23666

(J) Sharon Deel Patton  
P.O. Box 747  
Plain Dealing, LA 71064

(L) Elsie Deel Edwards  
Route 1, Box 582  
Clinchco, VA 24226

(N) Corneail Deel Michael  
P.O. Box 197  
Sequatchie, TN 37374

(P) Ellen Deel  
221 Harris Creek Rd  
Hampton, VA 23369

(R) Dwight Deel  
Rt 1, Box 161-D  
Jacksboro, TN 37757

(T) William A. Counts, Jr.  
7185 S. Leewynn Drive  
Sarasota, FL 33580

(U) Jack Counts  
11308 Woodcrest Dr., SE  
Huntsville, AL 35803

(V) Ann Counts Rausauser  
239 Central Park West  
Unit 2-D  
New York, NY 10024

(W) Clyne Blankenship  
P.O. Box 205  
~~Breaks~~, VA 24607

(X) Helen Mullins  
P.O. Box 216  
~~Breaks~~, VA 24607

(Y) Delores Blankenship Duty  
Route 1, Box 451  
~~Haysi~~, VA 24256

(Z) Billy J. Blankenship  
715 Elkton Road  
Newark, DE 19711-4919

(a) Betty Blankenship Moorefield  
P.O. Box 194  
Vansant, VA 24656

(b) Sammy J. Blankenship  
P.O. Box 453  
Haysi, VA 24256

(c) Lillian Blankenship  
1070 N. Buck Road  
Marblehead, OH 43440

(d) Tina B. O'Shaughnessy  
3717 Hoffman Drive  
Sandusky, OH 44870

(e) Rodger W. Blankenship  
570 E 13 Mile Road #103  
Madison Heights, MI 48071

(f) Gary B. Blankenship  
14800 Frazho Road  
Warren, MI 48093

and any other unknown heirs of N. B. Sutherland.

VIRGINIA. In the Clerk's Office of the Circuit Court of Dickenson County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 19th day of November, 1992 1:16p M.  
Deed Book No. 287 and Page No. 500.

TESTE: [Signature]

Clerk



TOTAL UNIT AREA  
= 125.66 ACRES

LATITUDE 37° 10' 00"

BOOK 287 PAGE 524

B.M. USED U.S.G.S.

N 19575.90

E 40141.77

WELL P-232

ACCESS ROAD

TRACT 3

TRACT 4

N.B. SUTHERLAND HEIRS  
coal, oil & gas  
62.72 AC. - 49.91%

TRACT 5

TRACT 6

TRACT 7

TRACT 8

TRACT 9

TRACT 10

TRACT 12

TRACT 11

TRACT 13

CLYDE COLLEY

45.29 AC. - 36.04%

CLINCHFIELD COAL/  
PEGASUS RESOURCE - COAL  
PINE MOUNTAIN OIL & GAS  
oil & gas  
17.65 AC. - 14.05%

N 06°25'58" E  
2352.88'

N 39°27'00" E  
106.17'

N 78°40'52" E  
156.79'

N 81°18'58" E  
2976.98'

RPS

RPS

EH-37

COORDINATES OF WELL  
N 15971.36  
E 40587.75

500'

S 48°59'47" E  
2732.71'

WELL P-284

LONGITUDE 82° 12' 30"

WELL P-287

NOTE!!!

ON TRACTS 3 THRU 13 COAL,  
OIL & GAS IS OWNED BY  
N.B. SUTHERLAND HEIRS

NOTE: WELL COORDINATE SYSTEM IS  
BASED ON CLINCHFIELD COAL COMPANY  
MINE COORDINATE SYSTEM.

### WELL LOCATION PLAT

COMPANY Virginia Gas Company

WELL NAME AND NUMBER EH-37

TRACT No.                     

ELEVATION 1764.02 (Trig)

QUADRANT PRATER

COUNTY Dickenson

DISTRICT Sandlick

SCALE: 1" = 400'

DATE APRIL 9, 1992

THIS PLAT IS A NEW PLAT X; AN UPDATED PLAT       ; OR A FINAL LOCATION PLAT       

+ DENOTES THE LOCATION OF A WELL ON UNITED STATES TOPOGRAPHIC MAPS, SCALE 1 TO 24,000, LATITUDE AND LONGITUDE LINES BEING REPRESENTED BY BORDER LINES AS SHOWN.

Exhibit "A"

LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

